

Patent  
10/767,782

REMARKS

Claims 1-21, 23-41, 55-56 and 61-62 remain pending in the application. Independent Claim 1 has been amended herein.

Claims 1, 55 and 61 are independent.

Applicants wish to thank the Examiner for the indication that Claims 55, 56, 61 and 62 are allowable.

Claims 1-21 and 23-41 were rejected under 35 USC 112, second paragraph, as being indefinite. Specifically, the Action notes that "Claim 1 is unclear as a written recitation of the method provided in Figure 41 because a measured patient step is omitted as well as establishing the target temperature. Claim 1 has been amended herein to address the issues raised in the Action, and Figure 41 has also been amended. Specifically, Figure 41 has been amended to label "data entry" (which includes entry of a "target temperature" (see page 63, lines 13-15 of Applicant's specification, as filed) as reference numeral 732. Element 744 has been amended to more clearly define its function, by reciting, "temperature measurement and average T1(t), over Y seconds". In addition, the line with arrow from Delay X seconds to Run Mode has been deleted and the line from element 746 to 742 has been clarified. A corrected 'formal drawing' sheet for Figure 41 is currently being prepared and will be submitted upon receipt of same.

It is respectfully submitted that all pending claims are now clearly in condition for allowance and prompt review and issuance is accordingly requested. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, *request is made that the Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues may be resolved.*

Respectfully submitted,



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